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December 23, 2013

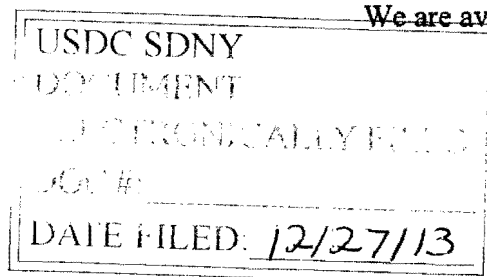
BY FAX AND NYSCEFHon. Paul G. Gardephe
United States District Judge
40 Foley Square Room 2204
New York, New York 10007RE: Wells Fargo Bank, N.A. v. Wales LLC, et al., 13-cv-6781(PGG)

Dear Judge Gardephe:

We represent Battenkill Insurance Company, LLC ("Battenkill"), which seeks to intervene in the above-referenced interpleader action as a defendant/cross-claimant. Pursuant to Your Honor's direction at the December 5, 2013 conference, we write to inform the Court that interpleader defendant Wales LLC ("Wales") has refused to consent to Battenkill's intervention. Accordingly, Battenkill will make a formal motion to intervene pursuant to Federal Rule of Civil Procedure 24, and respectfully requests that the Court order the following briefing schedule, to which Wales has agreed:

- Battenkill's motion is due no later than January 10, 2014;
- Wales' opposition brief is due no later than January 24, 2014;
- Battenkill's reply brief is due no later than January 31, 2014.

We are available should the Court have any questions.



Respectfully submitted,

Scott D. Musoff

cc: all counsel of record (via ECF)

SO ORDERED:

Paul G. Gardephe, U.S.D.J.

Dated: Dec. 24, 2013

13cv6781
Parties request
3 extra days to
inform Ct whether
Wales will consent
to intervention

December 19, 2013

BY FAX AND ECF

Hon. Paul G. Gardephe
United States District Judge
40 Foley Square Room 2204
New York, New York 10007

RE: Wells Fargo Bank, N.A. v. Wales LLC, et al., 13-cv-6781(PGG)

Dear Judge Gardephe:

On behalf of interpleader defendant Wales LLC ("Wales") and proposed intervenor Battenkill Insurance Company, LLC ("Battenkill"), we jointly write pursuant to Your Honor's directive at the December 5, 2013 conference to inform the Court that Wales and Battenkill are still in discussions regarding whether Wales will consent to Battenkill's intervention in this action. We respectfully request an additional three days, until December 23, 2013, to inform the Court whether Wales will consent to intervention, and if it will not so consent, to submit a proposed briefing schedule for Battenkill's motion to intervene.

Respectfully submitted,

/s/ Kelly A. Carrero

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